

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD GRANBERRY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 04-241 Erie
	)	
SUPER. BROOKS, et al.,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Donald Granberry's Petition for Writ of Habeas Corpus was received by the Clerk of Court on August 26, 2004, and was referred to the United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on July 8, 2005, [Doc. No. 23] recommended that Petitioner's Motion for Temporary Restraining Order or Preliminary Injunction [Doc. No. 22] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Defendants. Objections were filed by Petitioner on July 25, 2005. After de novo review of the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 2<sup>nd</sup> day of August, 2005,

IT IS HEREBY ORDERED that the Petitioner's Motion for Temporary Restraining Order or Preliminary Injunction [Doc. No. 22] is DENIED.

The report and recommendation of Magistrate Judge Baxter, dated July 8, 2005, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cc: All parties of record.